

Notice of Allowability

Application No.

10/635,649

Examiner

VAN T. PHAM

Applicant(s)

HATADE ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/16/2007.
2. ☒ The allowed claim(s) is/are 1, 3-8, have been renumbered as 1-7, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Claims 1, 3-8 are allowed.

Yamamiya discloses an object lens for an optical pickup (Fig. 1), said object lens being of finite conjugate type for use in an optical pickup having a unit (see abstract), in which a semiconductor laser diode including light emitting portions for respectively emitting light of different wavelengths, a photo detector and said objective lens are integrated so that a relative positional relationship between said object lens and said semiconductor laser diode array is fixed (intended used and Fig. 1), and capable of recording data in and reproducing data from a first optical recording medium and a second optical recording medium respectively having recording faces at different heights (see Fig. 1, element 80), a distance from the light outgoing face of the object lens to the surface of said first and second optical recording medium in an optical system being changed by moving said unit entirely, and curvatures and aspheric coefficients of said object lens being designed to have numerical aperture controlled to be changed in accordance with switching between said different wavelengths, whereby allowing said laser beam to be focused on said first optical recording medium or said second optical recording medium (see Figs. 1, 6 [0022]-[0025]).

Noted that claim 1 cited that "semiconductor laser diode including light emitting portions for respectively emitting light of different wavelengths, a photo detector and said objective lens are integrated so that a relative positional relationship between said object lens and said semiconductor laser diode array is fixed" is intended use. However, if it is Kando discloses that limitation (see Fig. 1).

The combination of Yamamiya and Kando, see Yamamiya Figs. 1-9 and inherently, discloses the object lens of claim 1, wherein change of the numerical aperture of said object lens is controlled in accordance with the switching between said different wavelengths in such a manner that, in the case where a laser beam of a wavelength suitable to said first optical recording medium is allowed to pass through said object lens for irradiating said first optical recording medium, portions of said laser beam respectively passing through a circular center region including a lens optical axis and a ring-shaped intermediate region around said center region are focused on the recording face of said first optical recording medium, and that in the case where a laser beam of another wavelength suitable to said second optical recording medium is allowed to pass through said object lens for irradiating said second optical recording medium, portions of said laser beam respectively passing through said center region and a ring-shaped peripheral region around said intermediate region are focused on the recording face of said second optical recording medium (see rejection above of claim 1).

None of the cited references disclose or suggest all the limitations in the independent claim 1 or 6 and the optical paths from said light emitting portions for respectively emitting light of different wavelengths to the objective lens being the same regardless of wavelength.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Cited References

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an optical pickup device includes a double –source built-in semiconductor laser for emitting light of a first wavelength and a light of a second wavelength, and an optical pickup apparatus, laser light sources emit a first light beam having a relatively shorter wavelength for the DVD and a second light beam having a longer wavelength for the CD.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Thursday from 9:00 am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER